

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

Jill Arbanas,

NO. C 04-05146 JW

Plaintiff,

**ORDER TO SHOW CAUSE RE:
SETTLEMENT**

v.

Metropolitan Life Insurance Company, et
al.,

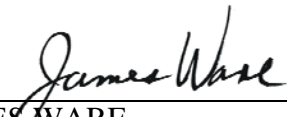
Defendants.

On July 3, 2006, the Court received a letter from counsel for the Defendants, informing the Court that pursuant to the Court's April 5, 2006 Order, Metlife has completed the claim determination on remand and has determined that Plaintiff is entitled to long term disability benefits. The Court treats this as a notice of settlement in this case. Accordingly, the Court vacates all trial and pretrial dates. On or before **August 28, 2006**, the parties shall file a stipulated dismissal pursuant to Federal Rule of Civil Procedure 41(a).

If a dismissal is not filed by the specified date, all parties shall appear in Courtroom No. 8, 4th Floor, United States District Court, 280 South First Street, San Jose, Ca. on **Monday, September 11, 2006 at 9:00 a.m.**, and to show cause, if any, why the case should not be dismissed pursuant to Fed. R. Civ. P. 41(b). On or before September 5, 2006, the parties shall file a joint statement in response to the Order to Show Cause. The joint statement shall set forth the status of the activities of the parties for finalizing the settlement and how much additional time is requested to finalize and file the dismissal. If a voluntary dismissal is filed as ordered, the Order to Show Cause hearing will be automatically vacated.

Failure to comply with any part of this Order will be deemed sufficient grounds to dismiss this action.

Dated: July 7, 2006



JAMES WARE
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Glenn R Kantor gkantor@kantorlaw.net
3 Krista L. Mitzel kmitzel@seyfarth.com
4 Lawrence E. Butler lbutler@seyfarth.com

5 **Dated: July 7, 2006**

Richard W. Wiekling, Clerk

6 **By: /s/ JW Chambers**
7 **Melissa Peralta**
8 **Courtroom Deputy**
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